

# 2021 State Mandates Report

New Mandates on Counties Enacted in  
2021

September 30, 2021



Illinois State Association of Counties  
427 E. Monroe Street, Suite 200  
Springfield, IL 62704  
Phone: 217.679.3368  
[www.isacoil.org](http://www.isacoil.org)

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One of the foremost challenges confronting local governments in Illinois is the annual enactment of new requirements uncoupled from the funding necessary to defray the additional costs.

All mandates are not created equal. Some are minor while others are far more substantial. Even so, the annual enactment of unfunded mandates that result from new laws creates a cumulative cost burden on counties and other local governments.

It is probably unrealistic to expect the General Assembly to cease-and-desist in imposing any new mandates on local governments. However, it isn't unreasonable to expect legislators to recognize the financial consequences of these actions with the objective of encouraging them to pause to ask, "what will this cost the local governments in our districts?"

The objective of this report, and future such reports, is to generate awareness about the types of new laws that impose costs on county governments and to remind legislators that someone needs to pay for the mandates imposed. That someone is the local taxpayer. In this respect, voting for state mandates is a hidden tax or service cut, depending on what action a local government must take to offset the added cost.

This report identifies new laws enacted in 2021 that impose unfunded state mandates on counties. According to the Illinois State Mandates Act (30 ILCS 805), there are five types of mandates:

- Local Government Organization and Structure Mandates
- Due Process Mandates
- Service Mandates
- Tax Exemption Mandates
- Personnel Mandates

In the most general sense, however, a mandate can be defined as something a person or entity is compelled to do without having any real choice in the matter. The new laws listed within this report certainly fit this definition.

The Illinois State Association of Counties (ISACo) will generally oppose new unfunded state mandates. ISACo recognizes some mandates are intended to achieve an important public policy purpose and some mandates are relatively innocuous with respect to impact. In the case of the former, we ask that the General Assembly either provide county governments with the financial resources to defray the cost or work with counties to resolve the issue without the need to compel a costly solution.

Respectfully,



Joe McCoy  
Executive Director

## New State Mandates – Enacted in 2021

Bill	Title	Nature of Mandate	P.A. Number
<b>County Facilities</b>			
HB 2408	Fire and Smoke Damper Act	Costs associated with testing requirements	<a href="#">102-0426</a>
HB 3739	Lead Service Line Replacement and Notification Act	Staff time associated with additional reporting requirement	<a href="#">102-0613</a>
<b>County Officers and Officials</b>			
HB 56	Counties – Officer Stipends	Costs associated with additional staff time	<a href="#">102-0048</a>
HB 58	Recorders – Unlawful Covenants	Costs associated with review of restrictive covenant modifications	<a href="#">102-0110</a>
HB 2590	IMDMA – Marriage Certificates	Staff time associated with issuance of new marriage certificates	<a href="#">102-0169</a>
HB 3592	IDPH – Medical Examiner Officers	Costs associated with adherence to federal laws/requirements	<a href="#">102-0488</a>
SB 139	IMDMA – Marriage Certificates	Staff time associated with issuance of new marriage certificates	<a href="#">102-0171</a>
SB 583	FOIA – Clerk of the Circuit Court of Cook County	Costs associated with requirement to accept payments over the Internet	<a href="#">102-0356</a>
<b>Elections</b>			
HB 1871	Election Code – Vote by Mail Funds	Requires acceptance of all vote by mail ballots	<a href="#">102-0001</a>
SB 825	Omnibus Election Legislation	Costs associated with new election requirements	<a href="#">102-0015</a>

<b>Hospital Facilities and Health Care</b>			
HB 68	Hospitals – Female Deaths	Staff time and costs associated with reporting requirements	<a href="#">102-0256</a>
HB 3147	Resident/Patient Call in Nursing Homes	Costs associated with required contact policy	<a href="#">102-0398</a>
HB 3803	Fair Patient Billing Act – Charity Care Options	Costs associated with staff time	<a href="#">102-0504</a>
SB 1840	Hospitals – Financial Assistance	Staff time and costs associated with reporting requirements	<a href="#">102-0581</a>
SB 1908	Surgical Smoke Evacuation	Costs associated with establishment of new policy	<a href="#">102-0533</a>
SB 2137	Nursing Homes – Social Isolation Prevention Policies	Costs and staff time associated with establishment of new protocols/procedures	<a href="#">102-0640</a>
SB 2153	Hospital Written Staffing Plan Corrections	Staff time and costs associated with plan development and submission	<a href="#">102-0641</a>
<b>Personnel and Pensions</b>			
HB 2568	PSEBA Health Plan Bargained	Limitation of employer authority and increased personnel costs	<a href="#">102-0439</a>
HB 3582	Employment – Crime Victim Leave	Costs associated with implementation	<a href="#">102-0487</a>
HB 3662	Workers’ Compensation MRSA Presumption	Costs associated with enhanced employee benefits	<a href="#">102-0493</a>
SB 1847	FOIA – Removes Disclosure Exemption Under Equal Pay Act	Costs associated with increased certification requirements	<a href="#">102-0036</a>
<b>Public Safety and Law Enforcement</b>			
HB 562	Fix the FOID Act	Staff time and costs associated with reporting requirements	<a href="#">102-0237</a>

HB 1739	Sexual Assault Emergency Treatment Act	Costs associated with increased notification requirements	<a href="#">102-0022</a>
HB 2784	Community Emergency Services and Support Act	Limitation of county authority and cost increases	<a href="#">102-0580</a>
HB 3100	ANCRA Mandated Reporter Training	Costs associated with increased training requirements	<a href="#">102-0604</a>
HB 3513	Juvenile Court Act Changes	Costs associated with reporting requirements	<a href="#">102-0350</a>
SB 561	PFAS Reduction Act	Limitation to local control	<a href="#">102-0290</a>
SB 651	Juvenile Court – Venue Transfer	Staff time associated with transference of records	<a href="#">102-0164</a>
SB 667	Law Enforcement – Immigration	Imposes restrictions and requirements on local law enforcement	<a href="#">102-0234</a>
SB 2339	Privacy of Child Victims	Costs associated with implementation	<a href="#">102-0651</a>
SB 2340	Privacy of Adult Victims	Costs associated with implementation	<a href="#">102-0652</a>
SB 2007	Food Handling – Cottage Food	Staff time and costs associated with registration requirements	<a href="#">102-0633</a>
<b>Reports, Notifications and Meetings</b>			
HB 53	Video Interview Demographics	Costs associated with reporting requirements	<a href="#">102-0047</a>
HB 453	Property Tax – Vendor Report	Staff time and costs associated with reporting requirements	<a href="#">102-0265</a>
HB 2412	Notices – Minority Groups	Costs associated with implementation	<a href="#">102-0592</a>
SB 1845	Property Tax – Notice	Staff time and costs associated with notification requirement	<a href="#">102-0528</a>

<b>Revenue and Finance</b>			
HB 3289	Property Tax – Homestead Exemption	Revenue reduction	<a href="#">102-0136</a>
SB 481	Courts – Fees	Revenue reduction	<a href="#">102-0145</a>
SB 2244	Property Tax – Senior Freeze Income Limitation	Revenue reduction	<a href="#">102-0644</a>
SB 2278	County Mental Health Boards Control Over Revenue	Requirement to establish a new board and costs of necessary staffing	<a href="#">102-0379</a>